

PLANNING BOARD OF THE CITY OF BANGOR

MEETING OF JANUARY 19, 2010

MINUTES

Board Members Present:

**Allie Brown, Chairman
Jeff Barnes
Paul Bolin, Alternate Member
Doug Damon
John Miller
Nathaniel Rosenblatt
Andy Sturgeon
Miles Theeman**

City Staff Present:

**David Gould
Jim Ring
Peter Witham**

Chairman Brown called the meeting to order at 7:00 p.m.

CONSENT AGENDA

Member Theeman indicated that he had a conflict on Item No. 1 as the applicant is a sister corporation to the organization to which he is the president. Alternate Member Bolin also indicated that he had a conflict on Item No. 1 as the applicant is his employer. Mr. Rosenblatt moved that the Board approve Items No. 2 and No. 3 on the Consent Agenda. Mr. Barnes seconded the motion which carried by a vote of 7 to 0.

Mr. Rosenblatt moved that Mr. Bolin and Mr. Theeman have a conflict of interest with respect to Item No. 1 on the Consent Agenda. Mr. Barnes seconded the motion, which carried by a vote of 6 to 0. Mr. Rosenblatt moved that the Board approve Item No. 1 on the Consent Agenda. The motion was seconded by Mr. Barnes. The Board voted 6 to 0 in favor.

The items approved are as follows:

Item No. 1: Site Development Plan and Site Location of Development Act Modification approvals for modifications to existing site development plans at 489 State Street in a Government & Institutional Service District. Eastern Maine Medical Center, applicant.

Item No. 2: **Site Development Plan approval to remove a 36' x 50' one-story building and replace it with a 28' x 48' two-story building at 354 Hogan Road in a Government & Institutional Service District. Eastern Maine Community College, applicant.**

Item No. 3: **Site Development Plan and Site Location of Development Modification approvals to construct a 20' x 20' bathroom facility at the City of Bangor Fire Department's Burn Training Area located at Bangor International Airport. City of Bangor Fire Department, applicant.**

PUBLIC HEARINGS

Item No. 4: **Amending Chapter 165, Section 13 Definition of Auxiliary Public Utility Structure and Section 165-30 – Auxiliary public utility structure. City of Bangor, applicant. C.O. # 10-049.**

Chairman Brown opened the Public Hearing and asked for an update. City Engineer Jim Ring represented the City of Bangor. He explained that this ordinance amendment would make changes to the current Ordinance provisions that govern auxiliary public utility structures. Mr. Ring explained that public utility structures are small structures currently limited to 200 sq. ft. and support public utilities. An example would be buildings containing electronic switching equipment, pumps station, sewer utilities, etc. At the last meeting he was before the Board in support of another version of this amendment (as contained in C.O. # 10-040). He explained that the City has a utility expansion project (a sewage pump station) and cannot move forward under the current regulations, thus an ordinance amendment was proposed. With the previous version, the Board had concerns regarding a provision where such projects would be exempt from Site Plan Review and notification of abutting property owners. While most of these buildings are located in industrial and commercial districts there is still the possibility that they could fall within a residential area. Because of the Board's concerns, he recommended that CO #10-040 be indefinitely postponed. In its place, is C.O. # 10-049. This amendment proposes to increase the square footage of the structure from 200 feet to 300 feet, to exempt setbacks and adds a provision for screening unless the screening from the street would have a negative impact upon public health, safety or welfare. Also, within this proposed language it would be up to the Planning Board to determine the need for screening. Mr. Ring indicated that the proposed amendment addresses the limitations of the existing ordinance provisions that are problematic for the project that the City is undertaking. Hopefully it also addresses concerns expressed by the Board at the previous meeting.

Mr. Damon noting that he was not in support of the previous version of this amendment expressed his appreciation for the efforts of Staff to reword this amendment to address the concerns of the Board. Board Members expressed their appreciation to Mr. Ring and the Staff, as well.

No one spoke either in favor of or in opposition to the proposed amendment. Chairman Brown closed the Public Hearing and asked for Staff comments. Planning Officer Gould indicated that the major concerns the Board had were eliminating Planning Board review and notification of abutters for people to be involved with the process. These issues have been addressed in the revised amendment.

Mr. Rosenblatt moved that the Board recommend to the City Council approval of the zoning amendment changes to Section 165-13 and Section 165-30 as contained in C.O. # 10-049. Mr. Theeman seconded the motion. The Board voted 7 to 0 in favor.

NEW BUSINESS

Item No. 5: Amending Planning Board By-Laws.

Mr. Theeman moved to approve the January 2010 amendment to the Planning Board By-Laws. Mr. Damon seconded the motion. The motion passed by a vote of 8 to 0.

APPROVAL OF MINUTES

Item No. 6: Planning Board Approval of Minutes.

There were no minutes for consideration.

Other Business

As there were no further items for discussion, the meeting was adjourned at 7:17 p.m.